

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 93-628-T - ORDER NO. 94-808
AUGUST 18, 1994

IN RE: Proposal to Amend) ORDER WAIVING PASSENGER CARRIER
 Liability Insurance) LIABILITY INSURANCE LIMITS

This matter comes before the Public Service Commission of South Carolina (the Commission) for consideration of the August 10, 1994, letter of Canal Insurance Company (Canal), expressing concerns over this Commission's revision of liability insurance limits for passenger motor carriers which were effective June 24, 1994.

Canal points out in its letter that the various categories of passenger carriers have received as much as a 50% increase under the Commission's newly established limits, and that Canal is unable to write policy limits as established for certain categories of passenger carriers.

The Commission takes administrative notice of two regulations. R.103-100(B) states that the adoption of these rules shall in no way preclude the Public Service Commission from altering, amending, or revoking them in whole or in part, or from requiring any other or additional service, equipment, facility or standard, either upon complaint or its own motion, or upon the application of any motor carrier... R.103-803 states that in any case where compliance with any of these rules and regulations produces unusual hardship or

difficulty, the application of such rule or regulation may be waived by the Commission upon a finding by the Commission that such waiver is in the public interest.

The Commission has examined the concerns expressed by Canal Insurance Company in its August 10, 1994 letter, and has decided to re-examine the revised passenger liability limits as published in the new R.103-172 dated 6-24-94. Pursuant to the above stated regulations, the Commission believes that the newly established minimum limits for motor carriers of passengers should be waived due to the alleged excessiveness of the premium required to furnish the required liability limits. We believe that the new limits at this time may produce unusual hardship or difficulty, and that it is in the public interest that the Commission temporarily waive the new passenger liability limits until a study can be done to determine what new limits should be approved.

Further, pursuant to R.103-100, we hereby hold that said liability limits shall revert back to those limits in force immediately prior to June 24, 1994, and that such limits shall be in effect for passenger carriers until further Order of the Commission.

IT IS THEREFORE ORDERED THAT:


1. The minimum liability limits for motor carriers of passengers, effective June 24, 1994, are hereby waived.
2. Such limits shall revert back to those limits immediately effective prior to June 24, 1994.
3. The matter of the passenger minimum liability limits shall be studied by Commission Staff to determine what new limits

should be approved.

4. The Staff shall report back to the Commission and make recommendations accordingly at a future date.

5. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)